<u>REMARKS</u>

<u>Introduction</u>

Claims 1-5, 14-24, 33-43, and 52-56 are pending in this case. Applicants have amended claims 1, 14, 17, 20, 33, 36, 39, and 52. Reconsideration of this application in light of the following remarks is hereby respectfully requested.

<u>Claims 1-5, 20-24, and 39-43</u>

Claims 1, 2, 4, 5, 20, 21, 23, 24, 39, 40, 42, and 43 have been rejected under 35 U.S.C. § 102(b) as being anticipated by Alexander et al. U.S. Patent No. 6,177,931 (hereinafter "Alexander"). Claims 3, 22, and 41 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander in view of Herz et al. U.S. Patent No. 6,020,883 (hereinafter "Herz"). Applicants have amended claims 1, 20, and 39. No new matter has been added and the amendments are fully supported by the specification (e.g., page 27, line 14 to page 28, line 2 of applicants' specification). The Examiner's rejections are respectfully traversed.

Applicants' systems and methods of claims 1-5, 20-24, and 39-43 are directed toward providing program guide data according to user defined preferences using a client-server approach. As set forth in independent claims 1, 20, and 39, the user is provided with an opportunity to define user preferences using an interactive television program guide

client implemented on user television equipment. The user-defined preferences are provided to a program guide server, and individualized program guide data is provided to the program guide client according to the user preferences. Furthermore, the user is provided with an opportunity to edit the previously defined user preferences. Therefore, applicants' approach allows the user to expressly redefine the user's preferences in order to receive individualized program guide data that better correspond with the user's current preferences.

Alexander shows that viewer profile information may be requested by the EPG from the user and may be used to customize a guide display or to find programs that are likely to suit the viewer's interests (see col. 28, lines 12-21; and col. 30, line 47 to col. 31, line 30 of Alexander). However, applicants submit that independent claims 1, 20, and 39 are allowable over Alexander because applicants' approach improves upon Alexander by providing the user with an opportunity to edit previously defined user preferences in order to better match the individualized program guide data with the user's current preferences.

Therefore, for at least this reason, applicants respectfully submit that independent claims 1, 20, and 39 and dependent claims 2, 4, 5, 21, 23, 24, 40, 42, and 43 are allowable over Alexander. Applicants further submit that

26

dependent claims 3, 22, and 41 are patentable over Alexander and Herz at least because the foregoing demonstrates that independent claims 1, 20, and 39, from which claims 3, 22, and 41 respectively depend, are patentable.

Claims 14-19, 33-38, and 52-56

Claims 14-19, 33-38, and 52-56 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Alexander. Applicants have amended claims 14, 33, and 52. No new matter has been added and the amendments are fully supported by the specification (e.g., page 43, line 31 to page 44, line 16 of applicants' specification). The Examiner's rejection is respectfully traversed.

Applicants' independent claims 14, 33, and 52 are directed toward a client-server based program guide system for tracking a user's viewing history. In applicants' approach, a client-server interactive television program guide system tracks a user's viewing history and stores the viewing history on a program guide server. The program guide server then finds programs that are consistent with the user's viewing history and determines whether the programs found by the server have been previously viewed on the user television equipment. The program guide client, which is implemented on the user television equipment, displays a display of program titles that includes the programs found by the program guide

server. The display of applicants' approach visually distinguishes the programs determined by the server to have been previously viewed from the programs that have not been previously viewed. Therefore, the user is able to distinguish on the display, for example, between episodes of a television series that have been previously viewed on the user television equipment and episodes that the user has not yet viewed.

The Examiner submits that applicants' independent claims 14, 33, and 52 are novel. However, the Examiner contends that claims 14, 33, and 52 are obvious from Alexander in view of the Examiner's Official Notice that "indicating and displaying programs that users have not watched is well know in the art" (page 4, lines 5-6 of Office Action). Applicants have amended independent claims 14, 33, and 52 to clarify applicants' approach. In particular, applicants' claims 14, 33, and 52 do not merely indicate and display programs that users have not watched. Rather, applicants' approach uses the program guide server to <u>determine whether programs found by the program guide server to be consistent with the user's viewing history were not previously viewed on user television equipment</u> and provides a display of program titles that <u>visually distinguishes between the programs determined by the program guide server to have been previously viewed on user television equipment from the programs that have not been previously viewed</u>. Thus, applicants' independent claims 14,

33, and 52 are not obvious in view of Alexander and the Examiner's Official Notice.

Therefore, for at least the foregoing reasons, applicants respectfully submit that independent claims 14, 33, and 52 and dependent claims 15-19, 34-38, and 53-56 are patentable over Alexander.

Conclusion

Applicants submit that this application is now in condition for allowance. Accordingly, prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,

Evelyn C. Mak

Evelyn C. Mak
Registration No. 50,492
Agent for Applicants

FISH & NEAVE
Customer No. 1473
1251 Avenue of the Americas
New York, New York 10020-1105
(212) 596-9000